

## CLAIM AMENDMENT

### Amendment to the Claims:

This listing of the claims replaces all prior listings for this application. This listing of the claims shows amendments in underlines and line outs based upon the claims as they were pending at the time of the Final Office Action, and thus replace the listing of claims in the Amendment submitted November 2, 2009. Please amend the claims as follows:

### Listing of Claims

1. (Currently amended) A system for improving the accuracy of preprogrammed surgery on a body having an inside portion that is in need of said surgery and an outside portion that is moveable during said surgery, comprising:

a plurality of markers, that are adapted to emit a corresponding plurality of signals, and that are adapted to be disposed on said moveable outside portion of said body proximate to said inside portion in need of said surgery;

wherein said markers, respectively, comprise;

a disposable support element, adapted to be attached to an outside portion of said body[,:];

a wedge shaped member coupled to the disposable support element; and

a signal emitter ~~operatively associated with said support element~~  
coupled to the wedge shaped member;

means for causing said signal emitters to respectively emit signals under conditions sufficient to differentiate which emitter is sending each of said signals, respectively[(:)]; wherein emitted signals are adapted to enable tracking the movements of said movable outside portion of said body;

receiver means disposed remote from said body and positioned to be adapted to receive emitted signals from said signal emitters, respectively;

means for tracking the movement of said outside portion of said body as a function of said emissions;

means to identify and map said inside portion of said body that is intended to be subjected to surgery;

means to preprogram a treatment path adapted to be followed by treatment means;

means to integrate said tracked movements with said treatment path to form a modified treatment path; and

means to cause said treatment means to treat said inside portion of said body along said modified treatment path while substantially preventing said treatment means from departing from said modified treatment path to any substantial extent([.]),

wherein said signal emitters and said wedge shaped members are adapted to dispose said signal emitters in line of sight with said receiver means when attached to an outside portion of said body.

2. (Original) A system as claimed in claim 1 wherein said treatment means comprises high energy radiation sufficient to render said inside portion of said body necrotic.

3. (Original) A system as claimed in claim 1 wherein said treatment means is adapted to be operated without benefit of a surgeon.

4. (Original) A system as claimed in claim 1 wherein said emitters comprise a plurality of LEDs.

5. (Currently amended) A system as claimed in claim 4 wherein said LEDs are disposed on a disposable support [[that]] is substantially unaffected by bodily excretions.

6. (Original) A system as claimed in claim 4 wherein said LEDs are disposed remote from said body and further comprising at least one fiber optic cable having an end that is operatively associated with each of said LEDs at a location remote from said body and having another end that is adapted to be substantially fixedly disposed on said moveable

outside portion of said body proximate to said inside portion of said body in need of said treatment.

7. (Currently amended) A system as claimed in claim 4 wherein said LED emissions are at least one selected from the group consisting of emissions having wavelengths in the visible red region and emissions having wavelengths in the infra red region.

8. (Original) A system as claimed in claim 7 wherein said emissions have wavelengths that are in the infrared region and wherein said optical fibers comprise glass.

9. (Original) A system as claimed in claim 7 wherein said emissions comprise visible wavelengths and wherein said optical fibers comprise plastic material.

10. (Cancelled)

11. (Currently amended) A system as claimed in claim [[10]]1, wherein said receiver means comprises an array of cameras.

12. (Original) A system as claimed in claim 11 wherein said array comprises a plurality of cameras.

13. (Previously presented) A system as claimed in claim 12 wherein said emitters are in line of sight with said receiver means so that said signals emitted from said emitters are adapted to be received by said receiver means.

14. (Previously presented) A system as claimed in claim 12 wherein said LED's and said receiver are each disposed at an angle of about 45° with respect to the place where said body will be placed for said surgery.

15. (Cancelled).

16. (Currently amended) A system as claimed in claim [[10]] 1 wherein said wedge shaped members have adjustable angles.

17. (Previously presented) A system as claimed in claim 1 wherein said treatment means comprises high energy ultra sound radiation.

18. (Previously presented) A system as claimed in claim 17 wherein said inside portion of said body comprises at least one stone in need of removal and further comprising said ultra sound radiation being of sufficient strength to be adapted to break up said stone into pieces that are small enough to be passed.

19. (Previously presented) A system as claimed in claim 1 wherein said inside portion of said body comprises a resectable feature, or feature to be rendered necrotic and further comprising said treatment means comprising high energy radiation that is adapted to render said feature necrotic.

20. (Currently amended) A system as claimed in claim 19 wherein said inside feature is moveable in proportion to the movement of said outside portion of said body, ~~and~~ said system further comprising:

means to control the frequency of emissions from said emitters at a rate such that changes in the location of said moving outside surface are reflected in the determined positions and orientations of said markers as a function of time; and

means to at least frequently reintegrate the determined position and orientation of said outside portion of said body with the preprogrammed treatment path to form a modified treatment path such that said modified treatment path substantially accurately represents the changing real boundaries of said feature in need of resection, or rendering necrotic.